

Chapter 24

ARTICLE II. SPECIAL REGULATIONS

DIVISION 4. ~~TREE PRESERVATION AND~~ LANDSCAPING

Sec. ~~24-96-100~~. Landscape area(s) along right(s)-of-way.

(a) *Width requirements.* A landscape area having an average width as specified in the following chart shall be provided adjacent to any existing or planned road right-of-way.

Width Requirements for Landscape Areas along Right(s)-of-Way.			
(1) Community Character Corridors			
	Standard	Minimum width conditioned upon approval of planning director. Reference section 24-96 (d) for the criteria.	Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	50-feet	30-feet	20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	25-feet	20-feet	15-feet
(2) All Other Roads			
	Standard		Reduction for Lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.
Average Width	30-feet		20-feet or 10% of the average lot depth, whichever is greater.
Minimum Width	15-feet		15-feet
(3) Further Reductions for Master Planned Communities with approved Design Guidelines.			
The standards provided above can be further reduced for developments that are part of an approved master-planned community and have a governing set of design guidelines approved by the county. The design guidelines shall specify architectural standards, building placement and massing, parking location, sidewalks, street-lighting, streetscape standards, landscaping, signage, and other important community aesthetic features.			

(b) *Square footage calculation for landscape areas.* All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be equal to:

Square Footage Calculation
Square Footage = [Applicable Average Width Requirement] * [Length of Right-of-Way Frontage]

In no case shall any portion of any landscape area located more than 65 feet from the right-of-way of a Community Character Corridor or 45 feet from the right-of-way along all other roads be counted toward meeting the requirements of this paragraph. All required square footage shall be contiguous and located in an area that is directly adjacent to the right-of-way except as provided for in section 24-96 ~~100~~ (e)(1).

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(c) *Outdoor operations and storage. Any commercial or industrial operation or storage conducted in whole or in part out-of-doors shall:*

(*NOTE: Items 2-5 below are not new, they were relocated from section 24-41: Item 1 is new per stage I discussion)

(1) *The operations shall be screened from the right of way and conform the landscape requirements in section 24-94 and 24-96 (a) of the zoning ordinance Evergreen tree and shrub mixture requirements of section 24-94 (b) shall be used to screen the outdoor operations from the public right of way.*

(2) *Be well drained with adequate provisions to control storm drainage and erosion; and*

(3) *Where the ground cover would be routinely disturbed because of the nature of the activity to be conducted or because of vehicular traffic, the area shall be maintained in an all-weather surface; and*

(4) *Be screened from adjacent property by landscaping and fencing, except the outdoor displays for sale of vehicles, equipment, machinery and plant materials are exempt from the screening requirements where such screening would interfere with the visibility of the items for sale from a public road; and*

(5) *Be limited to uses and items to be stored which do not create noise, odor, dust or other objectionable effects. The effects of an activity shall be measured at the nearest property line.*

~~(c)~~(d) *“Construction zone” setback for structures.*

(1) All structures shall be setback a minimum of 15-feet from the perimeter of the landscape area buffer required in section 24-96 (a). For example, if the required landscape area buffer measures 50-feet in width from the right-of-way, then the structure(s) shall be no closer than 65-feet from the right-of-way.

(2) The “construction zone” setback shall be clearly delineated on the site plan.

(3) This “construction zone” setback shall not apply to parking lots. Parking lots may be constructed up to the edge of the required landscape buffer provided no grading, tree removal, or land disturbance occurs within the required landscape buffer.

~~(d)~~(e) *Waiver criteria for landscape areas along Community Character Corridors.* The average width requirement of the required landscape areas along Community Character Corridors may be reduced by the planning director if number (1) and/or (2) provided below is satisfied. In no case shall the total reduction exceed 20 feet. In deciding whether a reduction in the standard landscape area width is warranted, the planning director shall consider the impact of proposed road and/or utility improvements on existing trees and vegetation. Planned road and/or utility improvements that will remove existing trees and vegetation will reduce the likelihood of a reduction in landscape area required. In approving a reduction request, the

Development Standards: CCCC Buffer Treatments, Parking Lot Landscaping, Outdoor Operations and Storage

planning director may require additional plantings beyond the minimum ordinance requirements, alter the mixture of plantings provided, and/or specify the types of plantings to be used.

(1) The applicant may achieve a maximum reduction of 10 feet by providing superior site design with a combination of elements such as:

- a. Parking located away from public view behind buildings or screened by other architectural features (i.e. decorative brick walls);
- b. Innovative use of grading and topography to minimize visual impacts of parking and other unsightly features (i.e. dumpsters, HVAC equipment, loading areas, etc.);
- c. Provision of pedestrian amenities beyond what the ordinance requires. Examples may include brick pavers to connect existing and planned pedestrian walkways, lighting, and benches; or
- d. The use of monument style signs that are of a scale and type that complement the positive features of the surrounding architecture and streetscape. The use of wood, brick, or other natural features is recommended.

(2) The applicant may achieve a maximum reduction of 15 feet by providing superior architecture and building materials that meet the following standards.

- a. The building architecture and materials complement the positive features of nearby existing or planned development and/or the character of Colonial Williamsburg and James City County;
- b. Architecture and materials should be unique and not replicate standard and/or conventional prototypes; and
- c. The proposed location of the building and parking areas shall not require the removal of specimen trees or large stands of viable mature trees.

~~(e)~~(f) *Right-of-way landscape area performance standards.*

(1) Permitted breaks in landscape areas.

- a. All landscape areas along right-of-ways shall be continuous along the road right-of-way frontage, except where driveway, utility or other breaks running perpendicular to the right-of-way are necessary, and shall be designed in a manner that achieves the intent of this division.
- b. No new utilities, outside of those running parallel to permitted breaks in the required landscape areas, shall be located within the required landscape area(s) unless a waiver is granted by the planning director. The planning director shall grant a waiver only if the applicant can sufficiently demonstrate that there are unavoidable physical or regulatory constraints that warrant an intrusion into the landscape area.

Development Standards: CCCC Buffer Treatments, Parking Lot Landscaping, Outdoor Operations and Storage

(2) Tree preservation and criteria for tree removal.

- a. All existing viable mature trees (eight inches or greater diameter at breast height (DBH)) and specimen trees (24 inches or greater DBH) shall be preserved within the required right-of-way landscape area. All understory trees of two inches or greater DBH shall be preserved.
- b. The planning director or his designee may permit the removal of understory and overstory trees exceeding these size thresholds after an on-site inspection. The trees must be tagged to allow for easy identification. The planning director or his designee shall authorize removal of the tagged trees only if they are of poor quality, diseased, not consistent with the existing or planned plant species and design, poorly situated so as to interfere with the growth of other viable trees and/or shrubs, compromise safety, or interfere with other planned site improvements such as sidewalks and/or signs.

(3) Buffer grooming and enhancement.

- a. Trees below the size thresholds stated above in paragraph (2) and underbrush may be hand-removed from the landscape area. No grading shall be permitted except as permitted in section 24-100 (f) (1); however, hand grooming is permitted.
- b. Overstory tree limbs may be removed/"limbed-up" to a maximum height of ten feet above the base of the tree. Understory tree limbs may be removed/"limbed-up" to a maximum height of six feet. These height limitations shall not restrict the removal of dead, diseased, or injured tree limbs above the height limits mentioned above.

(4) Tree protection required. The required landscape area shall be fully protected by a substantial, temporary fence or barrier with a minimum height of 40-inches. The location, type, and installation standards for this fence shall be clearly shown on the site plan. This fence shall be installed prior to the issuance of a land disturbance permit and shall remain standing until all construction activities on site have been completed.

(5) Landscaping required. Required landscape areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs specified in paragraph section 24-94.

(6) Landscaping treatments of Community Character Corridor buffers. Right of way landscape areas along Community Character Corridors as designated on the Community Character Corridor Buffer designation and treatment map shall be designed to meet the design standards found in the Community Character Corridor Buffer Treatment Guidelines as determined by the Planning Director.

Sec. 24-97 101. Off-street parking lot landscaping.

Parking areas, accessory or otherwise, containing ten or more parking spaces shall contain landscaping and landscape areas in accordance with all of the following:

- (a) *Preservation of trees.* Parking lots shall be designed and constructed so that existing viable trees are preserved in a manner which will meet the intent and satisfy the requirements in this section to the maximum extent possible. Where such existing trees do not fully satisfy these requirements, additional trees shall be planted in an amount which meets or exceeds the stated minimum requirements. The requirements in this paragraph shall be in addition to other requirements stated in this section.
- (b) *Landscape area and planting requirements.* Total landscape area within the parking lot shall at least meet the minimum standards specified in the following chart.

(1) General Requirements for Parking Lot Landscaping.	
Percentage of Landscape Area Required within the Parking Lot	Based On:
Minimum 10%	Surface Area of Parking, including drives & circulation areas, exclusive of any perimeter landscape areas or landscape areas around the building.
Lots less than 65,000 square feet recorded or legally in existence prior to July 3, 1990	
Minimum 7.5%	Surface Area of Parking, including drives & circulation areas, exclusive of any perimeter landscape areas or landscape areas around the building.

(2) Quantity Requirements for Parking Lot Landscaping.		
AND		
Number of Trees	Number of Shrubs	Per
1	2	5 parking spaces in the parking lot.
Lots less than 65,000 square feet recorded or legally in existence prior to July 3, 1990		
1	2	10 parking spaces in the parking lot.
As provided above, each mature existing tree or specimen tree may be counted toward meeting the required minimum number of trees, with one (1) viable mature tree substituting for two (2) planted trees and one viable specimen tree substituting for three planted trees. No credit shall be given for any mature or specimen tree which is not protected in full compliance with the tree protection standards in section 24-89 (b) above.		

(3) Size and Mixture Requirements for Parking Lot Landscaping.		
Percentage	Of	Shall Be:
At least 35% 25%	Trees	Evergreen Trees which will achieve a minimum height of 40 feet at maturity.
At least 50%.	Trees	Deciduous Shade Trees with a 2.5 inch caliper which will achieve a minimum height of 50 feet at maturity.
At least 50%	Shrubs	Evergreen

(4) Minimum Spacing Requirements for Required Trees in Parking Areas
The required trees shall be spaced no more than 75 99 feet apart throughout the parking lot. These trees shall be evenly and reasonably distributed throughout the parking lot in a manner that promotes the intent of this section.

(c) *Parking lot screening.* In addition to the above tree and shrub requirements, all parking lots shall be visually screened from public road rights-of-way by evergreen plantings or berms that create a screen a minimum of three feet in height. Such berms shall have a maximum side slope ratio of three horizontal feet to one vertical foot and a level crown with a minimum width of three feet for maintenance and planting purposes. Any berm shall be designed and constructed to ensure that proper erosion prevention and control practices have been utilized.

(d) *Special requirements for bus parking lots.* Bus parking areas shall contain landscape areas in accordance with the above requirements except that plantings shall be provided as follows:

(1) Quantity Requirements for Bus Parking Lots		
AND		
Number of Trees	Number of Shrubs	Per
1	2	2 bus parking spaces

(2) Size & Mixture Requirements for Bus Parking Lots		
Percentage	Of	Shall Be:
At least 35% 25%	Trees	Evergreen Trees which will achieve a minimum height of 40 feet at maturity.
At least 50%	Trees	Deciduous Shade Trees with a 2.5 inch caliper which will achieve a minimum height of 50 feet at maturity.

(e) *Excavation of parking lot islands.*

- 1) *All parking lot islands, peninsulas, and planting areas shall be excavated to remove all crusher run or parking lot base material and back filled with quality top soil, except those areas where existing vegetation is to be preserved. The top soil shall be high in organic matter and will allow water to percolate. The excavation of these planting areas shall be to a minimum of 24" and will freely allow penetration of a hand-held probe to a minimum of 24".*
- 2) *Inspection of these planting areas shall be conducted by environmental inspectors during the construction process. Failure to comply with these requirements can result in a stop work order issued by environmental inspectors.*